

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA

v.

BENJAMIN MICHAEL JONES

Case No.: 23-cr-20041

Hon. Judith E. Levy

46 U.S.C. 70036

Defendant.

/

INFORMATION
(Correction)

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE

**(46 U.S.C. § 70036 – Willfully and Knowingly Violating the Terms of an
Order of the Captain of the Port)**

1. On or about August 10 of 2021 in the Eastern District of Michigan, BENJAMIN MICHAEL JONES did willfully and knowingly violate the terms of Captain of the Port Order 06-21.

2. Captain of the Port Order 06-21 was hand delivered to Jones on June 24, 2021, by an agent of the United States Coast Guard. The order was lawfully issued under Ports and Waterways Safety Act (“PWSA”), codified in Chapter 700 of Title 46 of the United States Code 46 U.S.C. §§ 70001 et seq.).

3. Captain of the Port Order 06-21 ordered JONES to cease all commercial operation of a motor vessel carrying passengers for hire until fully compliant with all applicable federal laws and regulations.

4. On or about August 20 of 2021, JONES willfully and knowingly violated the terms of Captain of the Port Order 06-21 by operating the 40' motor vessel "PWR TOWER" on Lake St. Clair while carrying commercial passengers for hire. During JONES'S operation of "PWR TOWER" on or about that date, it caught fire with paying passengers aboard. JONES's passengers were rescued by the Coast Guard, and the "PWR TOWER" and was towed to shore by the Coast Guard with JONES onboard.

DAWN N. ISON
UNITED STATES ATTORNEY



John K. Neal
Assistant United States Attorney
Chief, White Collar Crime Unit



Timothy J. Wyse
Assistant United States Attorney
211 West Fort Street, Suite 2001
Detroit, MI 48226

Dated: January 18, 2023

United States District Court Eastern District of Michigan	Criminal Case Cover Sheet	Case Number
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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials:

Case Title: USA v. Benjamin Jones

County where offense occurred : Wayne

Check One: **Felony** **Misdemeanor** **Petty**

- Indictment/ Information --- **no** prior complaint.
 Indictment/ ✓ Information --- based upon prior complaint [Case number: 22-mj-30289]
 Indictment/ Information --- based upon LCrR 57.10 (d) [*Complete Superseding section below*].

Superseding Case Information

Superseding to Case No: _____ **Judge:** _____

- Corrects errors; no additional charges or defendants.
 Involves, for plea purposes, different charges or adds counts.
 Embraces same subject matter but adds the additional defendants or charges below:

<u>Defendant name</u>	<u>Charges</u>	<u>Prior Complaint (if applicable)</u>
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Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

January 18, 2023
Date

s/ Timothy J. Wyse
 Timothy J. Wyse
 Assistant United States Attorney
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 Attorney Bar #:

¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.